

Richard M. Heimann (State Bar No. 63607)
Kelly M. Dermody (State Bar No. 171716)
Eric B. Fastiff (State Bar No. 182260)
Brendan P. Glackin (State Bar No. 199643)
Joseph P. Forderer (State Bar No. 278774)
Dean M. Harvey (State Bar No. 250298)
Anne B. Shaver (State Bar No. 255928)
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
San Francisco, California 94111-3339
Telephone: 415.956.1000
Facsimile: 415.956.1008

Joseph R. Saveri (State Bar No. 130064)
Lisa J. Leebove (State Bar No. 186705)
James G. Dallal (State Bar No. 277826)
JOSEPH SAVERI LAW FIRM
255 California, Suite 450
San Francisco, California 94111
Telephone: 415.500.6800
Facsimile: 415.500.6803

Interim Co-Lead Counsel for Plaintiff Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

All Actions

Master Docket No. 11-CV-2509-LHK

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PLAINTIFFS' CONSOLIDATED REPLY
IN SUPPORT OF MOTION FOR CLASS
CERTIFICATION AND IN OPPOSITION
TO DEFENDANTS' MOTION TO STRIKE
THE REPORT OF DR. EDWARD E.
LEAMER**

Date: January 17, 2013
Time: 1:30 p.m.
Courtroom: 8, 4th Floor
Judge: Honorable Lucy H. Koh

Pursuant to Civil Local Rule 79-5, Plaintiffs, by and through their counsel, respectfully
submit this administrative motion for an order permitting them to file under seal:

- (1) Plaintiffs' Consolidated Reply in support of Motion for Class Certification and in Opposition to Defendants' Motion to Strike the Report of Dr. Edward E. Leamer;
- (2) Reply Expert Report of Edward E. Leamer, Ph.D.;
- (3) Exhibits 1-6, 9-10, and 12-30 to the Declaration of Dean M. Harvey in Support of Plaintiffs' Consolidated Reply in support of Motion for Class Certification and Opposition to Defendants' Motion to Strike the Report of Dr. Edward E. Leamer.

Plaintiffs request that documents (1) and (2) and (3) be filed under seal because they are or refer to documents or information that Defendants or Plaintiffs have designated "CONFIDENTIAL" or "CONFIDENTIAL – ATTORNEYS' EYES ONLY" under the Stipulated Protective Order (Modified by the Court) (Dkt. No. 107), as set forth in paragraph 2-7 of the Declaration of Anne B. Shaver in support of Plaintiffs' Administrative Motion to File under Seal Plaintiffs' Consolidated Reply in support of Motion for Class Certification and in Opposition to Defendants' Motion to Strike the Report of Dr. Edward E. Leamer.

Pursuant to Judge Koh's Civil Standing Order Regarding Motions to File Under Seal, Plaintiffs have publicly e-filed a proposed public redacted version of the documents referenced above. Furthermore Plaintiffs will lodge with the Court unredacted copies of these documents in accordance with Civil Local Rule 79-5 and General Order 62.

With the exceptions specifically enumerated below, Plaintiffs take no position on whether the designated documents satisfy the requirements for sealing, and specifically reserve the right to challenge any "CONFIDENTIAL" or "CONFIDENTIAL – ATTORNEYS' EYES ONLY" designation under the Stipulated Protective Order (Modified by the Court) (Dkt. No. 107) as well as the sealability of these documents under Civil Local Rule 79-5.

Specifically, Plaintiffs seek to keep under seal portions of the excerpted deposition testimony of named Plaintiffs Siddharth Hariharan and Brandon Marshall (Exhibits 9 and 10),

1 because they include private compensation information that Plaintiffs have previously asked the
 2 Court to file under seal. *See* Declaration of Joseph P. Forderer in support of Defendants'
 3 Administrative Motion to File Under Seal. (Dkt. No. 240).

4 Although Plaintiffs' request is narrowly tailored to include only the information that may
 5 require confidentiality, Defendants must show good cause for sealing the documents they have
 6 placed a confidentiality designation upon by submitting a declaration and proposed order within
 7 seven days after the lodging of the designated documents. *See* Civil Local Rule 79-5(d).
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9 Dated: December 10, 2012

Respectfully Submitted,

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 11 By: /s/ Kelly M. Dermody

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 255 California, Suite 450
 San Francisco, CA 94111
 Telephone: (415) 500-6800
 Facsimile: (415) 500-6803

Interim Co-Lead Counsel for Plaintiffs and the Proposed Class